

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
<b>Telecommunications Relay Services for</b>	)	
<b>Individuals with Hearing and Speech</b>	)	<b>CC Docket No. 98-67</b>
<b>Disabilities, and the Americans with</b>	)	
<b>Disabilities Act of 1990</b>	)	

**COMMENTS  
WORLDCOM, INC.**

WorldCom, Inc., d/b/a/ MCI hereby responds to the Petition for interim Waiver and Rulemaking filed by the National Exchange Carrier Association, Inc. (“NECA”).<sup>1</sup> NECA identifies a problem with reimbursement associated with wireless calls made from and to relay centers. Under certain circumstances it may happen that a wireless call will have automatic number identification (ANI) different than the location of the wireless phone, and that this difference could result in the relay operator incorrectly identifying the jurisdiction of the call. This in turn could result in a situation where a relay call would appear as an intrastate call from a state in which the relay operator handling the call is not the certified relay operator for the state in which the call appears.<sup>2</sup> Under these circumstances, the relay operator handling the call would not be able to be reimbursed for the call.

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<sup>1</sup> Provision of Improved Telecommunications Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, (*NECA Petition*) CC Docket No. 98-67, July 22, 2002.

<sup>2</sup> NECA Petition at 5.

NECA proposes the Commission allow all wireless calls handled by relay centers to be reimbursed from the Interstate Telecommunications Relay (TRS) Fund on an interim basis for two years in order to ensure relay operators will be reimbursed for every type of wireless call they handle. As NECA notes, current wireless technology does not universally permit location to be identified, and the infrastructure to support the dissemination of this location information to relay centers is not in place. The technical infeasibility of automatically identifying the geographic location of a wireless call is essentially the same problem the Commission addressed in its Internet Protocol (IP) Relay Order. In that *IP Relay Order*, the Commission determined that while Section 225 of the Telecommunications Act generally required costs to be recovered from both interstate and intrastate jurisdictions, when specific conditions made appropriate jurisdictional recovery impossible, the Commission had the discretion to permit recovery of calls, that might in fact be intrastate, from the Interstate TRS Fund.<sup>3</sup> MCI supports NECA's proposal to allow two year, interim funding for wireless devices from the Interstate TRS Fund.

NECA also petitions the Commission to initiate a generic rulemaking to consider appropriate compensation methods for relay calls where it is impossible to determine the jurisdiction of the call from ANI data.<sup>4</sup> NECA cites complications associated with porting wireline numbers to different geographic locations, and problems that may arise with digital wireless TTY devices.<sup>5</sup> MCI is not convinced such a rulemaking would be an efficient use of the Commission's and the public's time. The Commission has clearly established the principal that

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<sup>3</sup> Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Petition for Clarification of WorldCom, Inc, CC Docket No. 98-67, Declaratory Ruling and Second Further Notice of Proposed Rulemaking, rel April 22, 2002, & 21.

<sup>4</sup> *NECA Petition* at 7.

<sup>5</sup> *Id.*, at 7

when it is technically impossible for the ANI to be automatically identified by the relay center, it is appropriate to permit recovery of calls, which might in fact be intrastate, from the Interstate TRS Fund, at least on an interim basis. Having established this principal, MCI believes it might be more efficient for each situation to be considered on a case-by-case basis. Technical conditions, impact upon the Interstate TRS fund, and other factors might differ in each case. A generic rulemaking might not be able to take these factors into account, and case-by-case waivers would still be required.

Respectfully submitted,

Larry Fenster

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July 14, 2003

## Statement of Verification

I have read the foregoing, and to the best of my knowledge, information, and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct.

Executed on July 14, 2003

Larry Fenster

Larry Fenster

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### **Certificate of Service**

I, Larry Fenster, do hereby certify that copies of the foregoing Comments of WorldCom Inc. were sent on this 14<sup>th</sup> day of July, 2003, via email to the following:

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